

## PLANNING COMMISSION

June 22, 2016

Action Report

### WELCOME

### SALUTE TO THE FLAG

### ROLL CALL

PRESENT: Commissioners Yob, Abelite, Ballard, Bit-Badal, O'Halloran, Pham and Yesney

ABSENT: None

*Vice Chair Abelite, on behalf of the Planning Commission, Planning Staff and San Jose residents, thanked Chair Yob and Commissioner O'Halloran for their service on the Commission.*

*Commissioner Yesney commended Chair Yob and Commissioner O'Halloran for their work.*

### SUMMARY OF HEARING PROCEDURES

#### 1. PUBLIC COMMENT

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*None*

#### 2. DEFERRALS AND REMOVALS FROM CALENDAR

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*No Items*

#### 3. CONSENT CALENDAR

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- a. **CP15-048 (Administrative Hearing).** Conditional Use Permit to allow for a 4,306-square foot addition to an existing 3,893-square foot fuel canopy (totaling: 8,199-square feet), installation of four new gasoline dispensers (eight fueling stations), upgrade of eight existing gasoline dispensers, and associated site work on a 13.6-gross acre site in the IP Industrial Park Zoning District, located at 1709 Automation Parkway (Costco Wholesale, Owner). Council District: 4. CEQA: Exempt per CEQA Guidelines Section 15301(e) for Existing Facilities. **PROJECT MANAGER, JENNIFER PIOZET**

**1. DETERMINED THE EXEMPTION IS IN ACCORDANCE WITH CEQA (7-0-0)**

**2. APPROVED THE CONDITIONAL USE PERMIT – RESOLUTION NO. 16-034 (7-0-0)**

Access the video, agenda, and related reports for this meeting by visiting the City's website at:

<http://www.sanjoseca.gov/planning/hearings/>

## 4. PUBLIC HEARING

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- a. **Bylaws Amendments.** Consideration of amendments to the Planning Commission Bylaws (Planning Commission Resolution No. 64-1) to: (1) amend the number of votes required for the Commission to take action in accordance with a new City ordinance (SJMC § 2.08.095) and (2) include a provision specifying the result of a tie vote. CEQA: Not a project.
1. **MOTION TO RECOMMEND ADOPTION OF THE PROPOSED AMENDMENTS TO PLANNING COMMISSION RESOLUTION NO. 64-1 AND DIRECT THE COMMISSION SECRETARY TO REFER THE AMENDMENT TO THE CITY COUNCIL RULES COMMITTEE FOR APPROVAL FAILED (4-3-0; BIT-BADAL, O'HALLORAN & PHAM OPPOSED)**
  2. **MOTION TO CONTINUE THE ITEM TO THE JULY 13, 2016 PLANNING COMMISSION HEARING FAILED (3-4-0; YOB, ABELITE, BALLARD & YESNEY OPPOSED)**
  3. **RECOMMENDED ADOPTION OF THE PROPOSED AMENDMENTS TO PLANNING COMMISSION RESOLUTION NO. 64-1 AND DIRECT THE COMMISSION SECRETARY TO REFER THE AMENDMENT TO THE CITY COUNCIL RULES COMMITTEE FOR APPROVAL (7-0-0), WITH A MODIFICATION TO ARTICLE 3, SECTION 7, PARAGRAPH 1, TO ADD A SUNSET DATE OF OCTOBER 31, 2016 TO THE STAFF PROPOSED LANGUAGE, AND MAINTAIN THE EXISTING "FOUR OR MORE MEMBERS OF THE COMMISSION VOTE" LANGUAGE THEREAFTER.**

## 5. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS, OR OTHER AGENCIES

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*No Items*

## 6. GOOD AND WELFARE

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- a. Report from City Council
- At the June 21, 2016 City Council hearing, the Council reappointed Commissioners Ballard and Yesney to the Planning Commission. The City Council also considered the following projects:*
- i. *Approved a General Plan Text Amendment to increase the floor area ratio and number of stories for the Neighborhood/Community Commercial General Plan Land Use/Transportation Diagram designation.*
  - ii. *Denied a privately-initiated General Plan Amendment request to expand the Urban Service Area boundary and change to the Land Use/Transportation Diagram designation from lower Hillside to Residential Neighborhood for a property located at the northwest corner of Silicon Valley Road and Gravina Loop.*
  - iii. *Denied a privately-initiated General Plan Amendment to change the Land Use/Transportation Diagram designation from Light Industrial to Mixed Use Neighborhood for a property located near Campbell Avenue and Newhall Street.*
  - iv. *Approved a Planned Development Zoning and Planned Development Permit for a mixed-use development located by W. San Carlos and Sunol Street.*
  - v. *Approved a Zoning, Site Development Permit and Tentative Map for a residential development by Delmas Avenue and Auzerais Avenue.*

- vi. *Approved a Plan Development Zoning and Planned Development Permit for a mixed-use development with zero parking at Montgomery Street and Lorraine Avenue.*
- vii. *Approved a Planned Development Rezoning for a mixed-use development at Tamien Station, with a motion to direct staff to analyze a 10,000 square foot daycare with a Planned Development Permit, delete the 3,000 square foot of commercial in the development standards, and encourage the highest density possible within the range of 62-90 dwelling units per acre.*
- viii. *Approved a Rezoning, Conditional Use Permit, and Determination of Public Convenience or Necessity for a CVS at Saratoga Avenue and Quito Road.*
- ix. *Approved a Planned Development Rezoning, Vesting Tentative Map, and Planned Development Permit for a single-family residential development at Oakland Road and Trujo Street, with a motion to direct Staff to process a permit amendment to evaluate the shade impact of the project and hold a properly noticed neighborhood meeting.*
- x. *Denied the Environmental appeal of a Planned Development Permit for the Reserve project located at S. Winchester Boulevard and Williams Road.*
- xi. *Denied the Environmental and permit appeal of a Planned Development Permit for the Kaiser medical office building project located at Technology Drive and Skyport Drive.*
- b. Review and Approve Minutes from [5-25-16](#)  
*Minutes Approved (7-0-0)*
- c. Election of Chair and Vice Chair for Fiscal Year 2016-2017  
*Commissioner Pham elected as Vice Chair (5-0-2, Yob & O'Halloran abstained)*  
*Vice Chair Abelite elected as Chair (5-0-2, Yob & O'Halloran abstained)*
- d. Subcommittee Formation, Reports, and Outstanding Business  
*No Reports*
- e. Commission Calendar and Study Sessions  
*No Reports*
- f. [The Public Record](#)  
*No Items*

## **ADJOURNMENT**